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Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,	)	<b>2:17-cr-216-JCM-PAL</b>
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
LAZARO PAVEL SOTO-LUSSON,	)	
	)	
Defendant.	)	
_____	)	

**STIPULATION FOR EXTENSION OF TIME**

IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre, Acting United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for the United States of America, and Raquel Lazo, Assistant Federal Public Defender, counsel for Defendant LAZARO PAVEL SOTO-LUSSON, that the date for the Government to file a response to the Defendant's Motion to Suppress (docket #18) be extended for three weeks.

This stipulation is entered for the following reasons:

1. The Defendant's Motion was filed and served on October 5, 2017. *See* Docket #18. The Government's response deadline is October 19, 2017. After the filing of the Defendant's Motion to Suppress, the parties attempted to negotiate the case, which would have

1 obviated the need for any further pre-trial litigation. The attempt to negotiate the case was  
2 unsuccessful. However, the Government has tendered a revised offer which counsel for the  
3 Defendant needs additional time to discuss with the Defendant.

4 2. The Defendant is incarcerated, but he does not object to the continuance of the  
5 Government's response deadline.

6 3. The additional time requested herein is not sought for purposes of delay, but  
7 merely to allow the Government time to respond to the Defendant's Motion, taking into account  
8 due diligence.

9 4. Additionally, denial of this request for continuance could result in a miscarriage  
10 of justice.

11 5. This is the first stipulation filed herein to continue the Government's response  
12 deadline.

13 DATED: October 19, 2017.

14  
15 /s/  
16 PHILLIP N. SMITH, JR.  
17 Assistant United States Attorney  
18 Counsel for the United States

14  
15 /s/  
16 RAQUEL LAZO  
17 Assistant Federal Public Defender  
18 Counsel for Defendant LAZARO SOTO-LUSSON

1  
2 UNITED STATES DISTRICT COURT  
3 DISTRICT OF NEVADA

4 \* \* \*

5  
6 UNITED STATES OF AMERICA, ) **2:17-cr-216-JCM-PAL**  
7 )  
8 Plaintiff, )  
9 )  
10 v. )  
11 )  
12 LAZARO PAVEL SOTO-LUSSON, )  
13 )  
14 Defendant. )  
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29 **FINDINGS OF FACT**

30 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
31 Court finds that:

32 1. The Defendant's Motion was filed and served on October 5, 2017. *See* Docket  
33 #18. The Government's response deadline is October 19, 2017. After the filing of the  
34 Defendant's Motion to Suppress, the parties attempted to negotiate the case, which would have  
35 obviated the need for any further pre-trial litigation. The attempt to negotiate the case was  
36 unsuccessful. However, the Government has tendered a revised offer which counsel for the  
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39 Government's response deadline.

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41 merely to allow the Government time to respond to the Defendant's Motion, taking into account  
42 due diligence.

43 4. Additionally, denial of this request for continuance could result in a miscarriage  
44 of justice.

1           5.       This is the first stipulation filed herein to continue the Government's response  
2 deadline.

3           For all of the above-stated reasons, the ends of justice would best be served by a  
4 continuance of the Government's response deadline.

5                               **ORDER**

6           IT IS THEREFORE ORDERED, that the previously-scheduled response deadline for the  
7 Government to respond to the Defendant's Motion to Suppress is extended until  
8 \_\_\_\_\_ November 9 \_\_, 2017.

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10     
11   UNITED STATES MAGISTRATE JUDGE